

**City of Gardner  
Conservation Commission**



**Minutes of the Meeting of  
June 13, 2016, 6:00 p.m.  
Second Floor Meeting Room, City Hall Annex**

**Members present:**

Norman Beauregard, Duncan Burns, Jane Cullen, Chairman Greg Dumas, Donna Lehtinen, and David Orwig. Also present was Conservation Agent Jeff Legros.

**Members absent:**

David Beauregard

**PUBLIC HEARINGS**

None

**MEETING**

**6:00** Open Meeting

**Orders of Conditions**

None

**Minutes**

**6:00** Motion made by D. Burns to extend the approval of Meeting Minutes of May 9, 2016 and May 23, 2016 until the next meeting. The motion was seconded by N. Beauregard and voted unanimously all in favor.

**Guests & Visitors**

None

**Presentations**

None

**Request for Determination of Applicability**

None

**Request for Certificate of Compliance**

None

## **Enforcement Order**

**6:05** Sunshine Realty Trust, Conrad Donnell Trustee, Sapphire Park at Pearl Street and Shawn Avenue (*Continued from Meeting of May 23, 2016*):

- Status Update: Notice of Intent – Vernal Pool Violation Remediation
- Peer Review – Phase II

Commission Members and Agent Legros discussed the receipt of notice from Tighe & Bond that they are ready to proceed with review and will be on site at Sapphire Park beginning June 20, 2016. Tighe & Bond will conduct 2 site visits to review the vernal pool remediation work and the wetland delineation. A check in the amount of \$3,580.00 has been received from Mr. Donnell for associated Tighe & Bond cost.

David Crossman, Wetlands Scientist for Mr. Donnell has requested that the Commission consider reducing the number of plants as previously detailed in the Planting Plan (remediation area) due to natural re-growth of native species. The Commission agreed to remove the High Bush Blueberries, and the Mountain Laurel from the plan. Agent Legros will notify Mr. Donnell/Mr. Crossman of the Commission's decision and that plantings must be spread through the site, new plantings shall be flagged to allow for monitoring and that the plantings be completed by June 30, 2016.

## **Emergency Certification**

None

## **New Business**

**6:25**

- **National Grid, Park Street Substation Request for Change: Tree Cutting –**  
Agent Legros is in receipt of a request from National Grid for cutting of additional trees at its new substation on Park Street. Commission requests the Agent to notify National Grid that they will need to appear in front of the Commission to provide clarification on the need for tree removal.
- **421 Leo Drive – Potential Wetland Violation –** Agent Legros has confirmed the owner is in violation of the City of Gardner's Wetland Ordinance. Trees have been cut despite the Agents instructions provided in person and via email to the homeowner on how to proceed. The Commission instructed Agent Legros to send a registered/certified letter to the homeowner (Mr. Truax) regarding the violation to include a copy of the Wetlands Acknowledgment signed at the closing of sale on the property.

Commission instructed Agent Legros to pursue establishing regulations for the implementation of fines. The Agent will reach out to other Communities for reference on this matter.

- **Department of Conservation and Recreation – Dunn Pond Dock Repair**  
Dunn Pond Dock is in need of repair. A Notice of Intent is to be expected after 6/30/16.
- **Commission Office Supplies FY-16, Windows Update, Display Dock and Cell Phone Upgrade** – Discussion surrounding upgrade of phone to Windows 10. Commission recommends holding off on this for now. A motion made by J. Cullen to replace Agent Legros cell phone and case, not to exceed \$400 was seconded by D. Orwig and voted unanimously.
- **Professional Development and Travel Expenses FY-16** – Agent notified Commission of remaining balance in the above account(s). Commission recommended Agent Legros submit his outstanding travel and professional development expenses for FY16. Going forward the Commission has instructed Agent Legros submit his expenses monthly.
- **Poor Farm Dumping** – D. Burns brought to the Commissions attention that there has been illegal dumping of sod and rubbish at this location. D. Burns contact Dane Arnold, Head of Public Works to rectify the issue.
- **Dyer Street Project** - Agent confirms the project looks good erosion controls are in place and the soils have been pulled back and removed from the drainage channel. Loam and seed will be put in place to stabilize site.
- **Conservation Signs** – Agent informed Commission that Conservation Area signs are being put up at various locations by the Public Works Dept.

### **Old Business**

**6:55**

- **Pitcherville Road, Hubbardston: Non-hazardous fill (potential project)** – The Town of Hubbardston passed a new by-law which prevents contaminated soils. There is concern that the Town changed its by-law from “contaminated soils” to non-hazardous soils, which leaves a lot of room for discussion about what is considered non-hazardous by whose standards. Agent Legros and the City of Gardner continue to closely watch and monitor developments with this potential project which will impact the City’s wellhead aquifer.
- **Landscape Partnership Grant Award – Finance Committee Meeting** – Agent Legros met with the City’s Finance Committee and Mayor to discuss the Landscape Partnership Grant. The Finance Committee approved. The request is now moved to the City Council for vote and approval of funds.

- **Whitney Street Solar Project** – Has been completed and is now producing electricity. Agent has conducted a site visit and finds the site in compliance.

### **Adjournment**

**7:05** Motion to adjourn was made by D Lehtinen. The motion was seconded by N. Beauregard and voted unanimously all in favor of adjournment.

Respectfully submitted,

Jeffrey D. Legros, Conservation Agent

All materials used at the meeting are available for viewing at the office of the Conservation Agent, Room 202 of the City Hall Annex.

#### **Minutes are available as follows:**

- Minutes are available on the City of Gardner website ([www.gardner-ma.gov](http://www.gardner-ma.gov)) under Conservation Commission.
- By appointment or request in Conservation Agent's office, Room 202 of the City Hall Annex
- Community Development & Planning office, Room 201 of the City Hall Annex